IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.27131 of 2008
SURESH SAH, SON OF BINDESHWAR SAH, R/V JAMUA, P.S. BARGANIYA, DISTRICT SITAMRHI----------PETITIONER.
Versus
STATE OF BIHAR----------OPPOSITE PARTY.

For the Petitioner : Mr. Sanjeev kr. Gupta, Adv.
For the Opposite Party : Mr. R.B.Roy Raman, APP.

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03. 18.12.2008. Counsel for the petitioner with reference to the report of the trial court dated 9.9.2008 submits that Investigating Officer out of the remaining two witnesses has already been examined but he is not aware about the examination of non-official witness referred to in the report.

Let the trial court(Addl. District and Sessions Judge-I, Sitamarhi) issue bailable warrant of arrest for appearance and examination of the non-official witness referred to in the report if not already examined and examine him as early as possible in any case within a period of three weeks from the date of receipt/production of a copy of this order and conclude the trail(Sessions Trial No. 111 of 2007 arising out of Barganiya P.S. Case No. 74 of 2004) within two months from the date of examination of non-official witness or receipt of a copy of this order. It is also pointed out by the counsel that one petition under Section 319 Cr. P.C. is also pending in the court below. In the event petition under Section 319 Cr. P.C. is allowed, petitioner is at liberty to renew his prayer for bail in the trial court itself.

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(V.N.Sinha,J.)

Rajesh/

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